	Application No.	Applicant(s)
Notice of Allowability	09/940,360	ANDERSON ET AL.
	Examiner	Art Unit	
	Tuan A. Vu	2193	.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *5/17/06*.

2. ☒ The allowed claim(s) is/are *1-7, 12-15 (renum 1-11)*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

    Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *8/05/06* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

1.   This action is responsive to the Applicant's response filed 5/17/06.

As indicated in Applicant's response, claims 1, 7, 13 have been amended. Claims 1-15

are pending in the office action.

EXAMINER'S AMENDMENT

2.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Michael Dryja, Reg # 39662 on 8/3/06.

The application has been amended as follows.

In the CLAIMS:

Claim 1:

A method <u>for installing software for a device to be connected to a computer, the method</u>

<u>implemented as computer instructions executed by a processor of the computer having an</u>

<u>operating system running thereon, the software for the device and the computer instructions</u>

<u>stored on a computer-readable medium communicatively coupled to the device, the method</u>

comprising:

<u>the computer instructions </u>installing <u>the </u>software on [[a]] <u>the </u>computer for [[a]] <u>the</u> device

to be connected to the computer, in accordance with a software-first installation mode; ~~and~~

<u>in response to the operating system detecting that the device has been connected to the</u>

computer, the operating system initiating an automatic installation/hardware-first installation

mode for the device; the operating system displaying a window within a graphical user interface,

the window related to the automatic installation/hardware-first installation mode and having an

attribute and/or a string resource;

the computer instructions detecting the window related to the automatic

installation/hardware-first installation mode, by one or more of:

the computer instructions comparing the attribute of the window to an attribute

previously known to the computer instructions; and/or

the computer instructions examining the string resource associated with the window to a

string resource previously known to the computer instructions;

in response to the computer instructions detecting the window, the computer instructions

causing the operating system to close the window within the graphical user interface, such that

the automatic installation/hardware-first installation mode for the device is suppressed;

the computer instructions setting a flag;

the computer instructions completing installation of the software in accordance with the

software-first installation mode;

wherein if the flag has been set, the computer instructions re-initiating the automatic

installation/hardware-first installation mode for the device; and,

wherein if the flag has not been set, the computer instructions instructing a user to

connect the device to the computer, to cause the operating system to initiate the automatic

installation/hardware-first installation mode for the device.

~~while installing the software on the computer in accordance with the software-first~~

~~installation mode, suppressing an automatic installation/hardware-first installation mode for the~~

~~device initiated by an operating system of the computer upon the device being connected to the~~

~~computer prior to the software being completely installed on the computer in accordance with the~~

~~software-first installation mode, by computer instructions executed by a processor of the~~

~~computer detecting and in response closing a window related to the automatic installation mode.~~

Claim 7:

A computer-readable medium having instructions stored thereon for execution by a

processor of a computer <u>having an operating system running thereon</u> to perform a method <u>for</u>

<u>installing software for a device to be connected to a computer, the software also stored on the</u>

<u>computer-readable medium, the method</u> comprising:

<u>the instructions</u> installing <u>the</u> software on the computer for [[a]] <u>the</u> device to be

connected to the computer, in accordance with a software-first installation mode; ~~and,~~ <u>in</u>

<u>response to the operating system detecting that the device has been connected to the computer,</u>

<u>the operating system initiating an automatic installation/hardware-first installation mode for the</u>

<u>device; the operating system displaying a window within a graphical user interface, the window</u>

<u>related to the automatic installation/hardware-first installation mode and having an attribute</u>

<u>and/or a string resource;</u>

~~while installing the software on the computer in accordance with the software-first~~

~~installation mode,~~

the instructions executed by the processor of the computer detecting ~~a new~~ <u>the</u> window

<u>being displayed within the graphical user interface;</u>

the instructions determining ~~whether~~ that the ~~new~~ window relates to [[an]] the automatic

installation/hardware-first installation mode for the device ~~initiated by an operating system of the~~

~~computer prior to the software being completely installed on the computer in accordance with the~~

~~software-first installation mode~~, by one or more of:

the instructions comparing the attribute of the window to an attribute previously

known to the instructions; and/or

the instructions comparing the string resource associated with the window to a

string resource previously known to the instructions;

~~upon determining that the new window relates to the automatic installation mode,~~

in response to the instructions determining that the window relates to the automatic

installation/hardware-first installation mode for the device,

the instructions ~~in response~~ causing the window to close ~~to exit the automatic installation~~

~~mode.~~ within the graphical user interface, the automatic installation/hardware-first installation

mode for the device being exited as a result of the instructions causing the window to close;

the instructions setting a flag;

the instructions completing installation of the software in accordance with the software-

first installation mode;

wherein if the flag has been set, the instructions re-initiating the automatic

installation/hardware-first installation mode for the device; and,

wherein if the flag has not been set, the instructions instructing a user to connect the

device to the computer, to cause the operating system to initiate the automatic

installation/hardware-first installation mode for the device.

Claim 8: (cancelled)

Claim 9: (cancelled)

Claim 10: (cancelled)

Claim 11: (cancelled)

Claim 12:

The medium of claim [[11]] 7, wherein re-initiating the automatic installation mode for

the device comprises calling a hardware re-enumeration routine of the operating system.

Claim 13:

A point-of-sale device package comprising:

a device to be connected to a computer via a connector of the device coupling to a

corresponding connector of the computer; and, a computer-readable medium storing software for

the device and computer instructions executable by a processor of the computer, the computer

also running an operating system, wherein the computer instructions perform a method

comprising:

the computer instructions installing the software on the computer, in accordance with a

software-first installation mode;

in response to the operating system detecting that the device has been connected to the

computer, the operating system initiating an automatic installation/hardware-first installation

mode for the device; the operating system displaying a window within a graphical user interface,

the window related to the automatic installation/hardware-first installation mode and having an

attribute and/or a string resource, the computer instructions detecting the window related to the

automatic installation/hardware-first installation mode, by one or more of:

the computer instructions comparing the attribute of the window to an attribute

previously known to the computer instructions, and/or

the computer instructions comparing the string resource associated with the

window to a string resource previously known to the computer instructions;

in response to the computer instructions detecting the window, the computer instructions

causing the operating system to close the window within the graphical user interface, such that

the automatic installation/hardware-first installation mode for the device is suppressed;

the computer instructions setting a flag;

the computer instructions completing installation of the software in accordance with the

software-first installation mode;

wherein if the flag has been set, the computer instructions re-initiating the automatic

installation/hardware-first installation mode for the device; and,

wherein if the flag has not been set, the computer instructions instructing a user to

connect the device to the computer, to cause the operating system to initiate the automatic

installation/hardware-first installation mode for the device.

means for installing software on the computer for the device, in accordance with a

software-first installation mode, and for suppressing an automatic installation/hardware-first

installation mode for the device initiated by an operating system of the computer upon the device

being connected to the computer prior to the software being completely installed in accordance

with the software-first installation mode, by computer instructions executed by a processor of the

computer detecting and in response closing a window related to the automatic installation mode.

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

3.   Claims 1-7, and 12-15 are allowed.

The following is an examiner's statement of reasons for allowance.

The prior art taken separately or jointly does not suggest or teach the following features.

A computer-medium storing instructions and software for a device to be connected to a computer, the instructions for implementing a method comprising installing the software for the device, and (i) upon detecting a window related to the hardware-first auto-installation mode initiated by the computer OS upon the device being connected thereto, the instructions identifying and comparing an attribute or string resource of the window in regard to previously known resources of the computer; and based thereupon, closing the window thereby suppressing the hardware-first by the OS automated mode within the graphical user interface; (ii) the instructions setting a flag, completing the software for the device and based on such flag setting, the instructions re-initiating the hardware first installation for the device via instructing the user or using the automated mode by the OS; as recited in claims 1, 7, and 13.

FIDA International, teaches the suppressing of a auto-install mode window prompted by the OS, the suppressing being done by the user being prompted; hence does not remotely teach or suggest a computer-readable instructions coupled with the device being connected to the computer so that these instructions perform the suppression, software installing or flag setting specifics of (i) and (ii), thus not requiring the user manually suppressing a GUI window.

Most prior art in regard to enable a silent mode without prompting the user for installation of hardware drivers like in the above context, teach providing modification of a file or a flag setting in the installation package or in the registry of the target machine via the user

action, e.g. to set a flag or a value before the package product is inserted to start the computer

installation; and like in FIDA, some action by the user is required to enable such software

installation during which some prompting window is suppressed. The invention provides

product instructions that via their own implementation, detect and suppress the hardware first

prompt auto-mode by the OS, i.e. a hardware-first window prompt; so that software for the

device is done during the hardware insertion phase without user being prompted.

Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

Conclusion

4.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tuan A Vu whose telephone number is (272) 272-3735. The

examiner can normally be reached on 8AM-4:30PM/Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kakali Chaki can be reached on (571)272-3719.

The fax phone number for the organization where this application or proceeding is

assigned is (571) 273-3735 (for non-official correspondence - please consult Examiner before

using) or 571-273-8300 (for official correspondence) or redirected to customer service at 571-

272-3609.

Any inquiry of a general nature or relating to the status of this application should be

directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VAT
August 5, 2006

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